

REMARKS/ARGUMENTS

Claims 1-20 are pending. By this amendment, claims 1, 3, 7-9, 13, and 20 are amended. Support for the amendment can be found at least at page 4, lines 10-14 and page 5, lines 29-31 of the specification. No new matter is introduced. Reconsideration and prompt allowance of the claims is respectfully requested.

35 U.S.C. § 103 Rejections

Claims 1-3, 5-8, 9-13, 17-19, and 20 are rejected under 35 U.S.C. § 103 (a) over U.S. Patent 6,625,437 to Jampolsky (hereafter Jampolsky) in view of U.S. Published Application 2003/0046557 to Miller (hereafter Miller). This rejection is respectfully traversed.

To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) and MPEP § 2142. If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and MPEP § 2143.03.

Jampolsky is directed to a method for reporting location and events in a wireless telecommunications network. Miller is directed to a multi-purpose networked data communications system and a distributed user control interface to such networked system. However, Jampolsky and Miller, individually and in combination, do not disclose or suggest “enabling a user to register one or more mobile handsets with a location finder service under an account, wherein the user can track only the one or more mobile handsets that are registered as part of the account,” as recited in amended claim 1 (emphasis added). Neither Jampolsky nor Miller teaches or suggests enabling a user to track only those handsets that are registered as part of the same account. Accordingly, the combination of Jampolsky and Miller does not disclose or suggest all of the features of amended claim 1, and claim 1 is allowable.

Claims 2-3 and 5-8 are allowable at least because they depend from allowable claim 1 and for the additional features they recite. For example, Jampolsky and Miller, individually and in combination, do not disclose or suggest “determining a base station identification of the mobile handset, the base station identification is a number that is a combination of a market identification and a mobile switching center identification,” as recited in amended claim 3 (emphasis added). Likewise, Jampolsky and Miller, individually and in combination, do not

disclose or suggest “enabling the user to track a mobile handset that is registered under the account by paying a pay-per-use fee,” as recited in amended claim 8 (emphasis added).

With respect to claim 9, for the same reason as discussed with respect to claim 1, Jampolsky and Miller, individually and in combination, do not disclose or suggest “the user registers, in advance, one or more mobile handsets with the location finder service under an account, wherein the user can track only the one or more mobile handsets that are registered as part of the account by logging on to the location finder service using a web browser on a computer,” as recited in amended claim 9 (emphasis added). Therefore, claim 9 is allowable.

Claims 10-13 and 17-19 are allowable at least because they depend from allowable claim 9 and for the additional features they recite.

With respect to claim 20, for the same reason as discussed with respect to claim 1, Jampolsky and Miller, individually and in combination, do not disclose or suggest “enabling a user to register one or more mobile handsets with a location finder service under an account, wherein the user can track only the one or more mobile handsets that are registered as part of the account,” as recited in amended claim 20 (emphasis added). Therefore, claim 20 is allowable.

Withdrawal of the rejection of claims 1-3, 5-8, 9-13, 17-19, and 20 under 35 U.S.C. §103 (a) is respectfully requested.

Claims 4 and 14 are rejected under 35 U.S.C. § 103 (a) over Jampolsky in view of Miller, and further in view of U.S. Patent 6,778,837 to Bade (hereafter Bade). This rejection is respectfully traversed.

Bade is directed to a system and method for providing access to mobile devices based on positional data. However, Bade does not cure the defect of Jampolsky and Miller and does not disclose or suggest all features of amended claims 1 and 9. Therefore, amended 1 and 9 are allowable over Jampolsky, Miller, and Bade.

Claims 4 and 14 are allowable at least because they depend from allowable claims 1 and 9, respectively, and for the additional features they recite.

Withdrawal of the rejection of claims 4 and 14 under 35 U.S.C. §103 (a) is respectfully requested.

Claim 16 is rejected under 35 U.S.C. § 103 (a) over Jampolsky in view of Miller, and further in view of U.S. Patent 6,957,073 to Bye (hereafter Bye). This rejection is respectfully traversed.

Appl. No. 10/757,437
Amdt. dated January 31, 2006
Reply to Office Action of October 31, 2005

Bye is directed to a method and a device capable of virtual exploration of information associated with a location of the device. However, Bye does not cure the defect of Jampolsky and Miller and does not disclose or suggest all features of amended claim 9. Therefore, amended claim 9 is allowable over Jampolsky, Miller, and Bye.

Claim 16 is allowable at least because it depends from allowable claim 9, and for the additional features it recites.

Withdrawal of the rejection of claim 16 under 35 U.S.C. §103 (a) is respectfully requested.

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

Date: January 31, 2006


Kelly T. Lee
Registration No. 47,743
Andrews Kurth LLP
1350 I Street, N.W.
Suite 1100
Washington, DC 20005
Tel. (202) 662-2736
Fax (202) 662-2739